

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

<hr/> SECURITIES AND EXCHANGE COMMISSION,	§	
	§	
Plaintiff,	§	
	§	
v.	§	
	§	
BRIAN A. BJORK;	§	
ESTATE OF JOEL DAVID SALINAS;	§	
J. DAVID GROUP OF COMPANIES, INC.	§	
J. DAVID FINANCIAL GROUP, L.P.;	§	
SELECT ASSET MANAGEMENT, LLC;	§	§ Civil Action No.: 11-cv-2830
SELECT CAPITAL MANAGEMENT, LLC	§	§ ECF
SELECT ASSET FUND I, LLC; and	§	
SELECT ASSET PRIME INDEX FUND, LLC,	§	
	§	
Defendants.	§	
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**UNOPPOSED MOTION TO ENTER AGREED ORDER OF PRELIMINARY
INJUNCTION AND OTHER EQUITABLE RELIEF AS TO
DEFENDANT BRIAN A. BJORK**

Plaintiff Securities and Exchange Commission (“Commission”) files this *Unopposed Motion to Enter Agreed Order of Preliminary Injunction and Other Equitable Relief* and would respectfully show the Court as follows:

1. Counsel for the Commission and Defendant Brian A. Bjork (“Defendant” or “Bjork”) have engaged in discussions resulting in the accompanying Agreed Order of Preliminary Injunction and Other Equitable Relief (“Order”) that, among other things, restrains and enjoins Defendant from violations of Section 17(a) of the Securities Act of 1933 [15 U.S.C. §77q(a)], Section 10(b) of the Securities Exchange Act of 1934 [15 U.S.C. § 78j(b)] and Commission Rule 10b-5 thereunder [17 C.F.R. § 240.10b-5], and Sections 206(1) and 206(2) of the Investment Advisers [15 U.S.C. § 80b-6(1) and (2)].

2. Entry of the Order will resolve the Commission's motion for preliminary injunction against Bjork (Doc. 2) now pending before the Court. In addition to imposing a preliminary injunction, the Order modifies the Court's Asset-Freeze Order (Doc. 12) as to Bjork, allowing him to keep assets valued at up to \$10,000 to cover reasonable and ordinary household and living expenses. It further allows Bjork to open one new bank account and requires Bjork to send the Receiver a copy of the bank account statements each month.

Respectfully submitted,

DATED: August 5, 2011

s/Timothy S. McCole

TIMOTHY S. McCOLE
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Counsel for Plaintiff

CERTIFICATE OF CONFERENCE

I certify that, on August 4-5, 2011, I conferred with attorney Matt Hennessy, counsel for Defendant Bjork, and with attorney Steven A. Harr, court-appointed receiver for Defendant Bjork; Defendant J. David Group of Companies, Inc.; Defendant J. David Financial Group LP; Defendant Select Asset Management, LLC; Defendant Select Capital Management, LLC; Defendant Select Asset Fund I, LLC; Defendant Select Asset Prime Index Fund, LLC; Defendant Estate of Joel David Salinas about this motion. They do not oppose the motion.

s/Timothy S. McCole

TIMOTHY S. McCOLE

CERTIFICATE OF SERVICE

I certify that I have sent a copy of the above motion and the proposed order by email to Defendant Bjork's counsel and to Steven A. Harr, court-appointed receiver for Defendant Bjork; Defendant J. David Group of Companies, Inc.; Defendant J. David Financial Group LP; Defendant Select Asset Management, LLC; Defendant Select Capital Management, LLC; Defendant Select Asset Fund I, LLC; Defendant Select Asset Prime Index Fund, LLC; Defendant Estate of Joel David Salinas.

s/Timothy S. McCole

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